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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

ALTERNATIVES COMMUNITY  
MENTAL HEALTH CENTER, INC.,

Plaintiff,

vs.

Case No. 3:01-cv-294-JKS

FRONTIER INSURANCE COMPANY,

Defendant.

**AFFIDAVIT OF JOHN A. TREPTOW**

STATE OF ALASKA                    )  
  )   ss  
THIRD JUDICIAL DISTRICT        )

JOHN A. TREPTOW, being first duly sworn, deposes and states as follows:

1. I am employed by the law firm of Dorsey & Whitney LLP, attorneys for the plaintiff Alternatives Community Mental Health Center, Inc. (“Alternatives”) in this matter.

2. I first began representing Alternatives in 1999 in the dispute that arose between it and Frontier Insurance Company (“Frontier”) involving the claims raised by Estra Bensussen in connection with her termination by Alternatives.

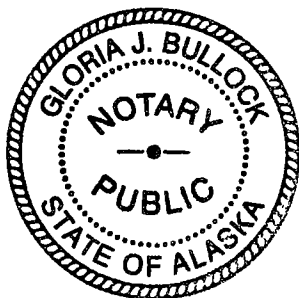
3. In 1999 and 2000 I exchanged numerous correspondence with Frontier regarding coverage issues.

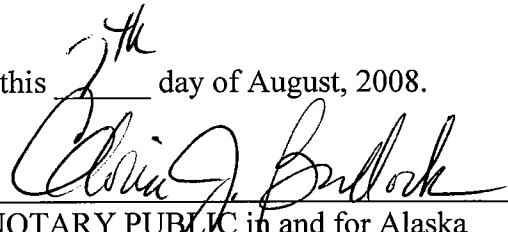
4. On June 18, 2008 I filed a Motion to Lift Stay in this case. Six days later I received a letter from Henry Neal Conolly, the Administrator of Frontier Insurance Company in Rehabilitation. In that June 24, 2008 correspondence Mr. Conolly explained to me, for the first time, a procedure apparently ratified by the New York Supreme Court in May of 2004 approving an interim procedure for judicial review of the arbitrator's adjudication of claims. Mr. Conolly's June 24, 2008 correspondence was the first notice I had that such a procedure existed that supposedly was in place to resolve claims such as Alternatives.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
JOHN A. TREPTOW

SUBSCRIBED AND SWORN TO before me this 2<sup>th</sup> day of August, 2008.



  
NOTARY PUBLIC in and for Alaska

My Commission Expires: May 15, 2010

**CERTIFICATE OF SERVICE**

This certifies that on this 7<sup>th</sup> day of August, 2008, a true and correct copy of the foregoing document was served electronically on:

Randall J. Weddle  
Holmes Weddle & Barcott, P.C.  
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s/ John A. Treptow \_\_\_\_\_